

REMARKS

Claims 16, 17, 19, and 20 are currently pending in the application, of which claims 16 and 19 are independent claims. Claims 16, 17, 19, and 20 currently stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3, 11 and 23 of U.S. Patent No. 6,689,470. In view of the following remarks. Applicant respectfully requests reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

The present application and U.S. Patent No. 6,689,470 are commonly owned by Touchstone Research Laboratory, Ltd. A Terminal Disclaimer in accordance with 37 C.F.R. § 1.321 is filed herewith disclaiming the patent term beyond that for U.S. Patent No. 6,689,470. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 16, 17, 19, and 20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3, 11 and 23 of U.S. Patent No. 6,689,470.

A Petition for a two (2)-month extension of time under 37 C.F.R. §1.136(a) is filed herewith extending the period for response through January 15, 2006. It is not believed that any further extensions of time are required other than those in the accompanying Petition. If extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. §1.136(a). Applicants believe that no further fees for net addition of claims are required at this time.

Brian E. JOSEPH
Application No.: 10/693,458
Reply to Office Action dated: July 15, 2005

Applicant submits that a full and complete response has been made to the pending Office Action. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution. Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted.



Philip D. Lane
Reg. No. 41,140

Date: December 14, 2005

Philip D. Lane
P.O. Box 79318
Charlotte, NC 28271-7063
Tel: 704-301-5007
Fax: 704-843-2318